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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह प्रालग संकलन के क्रम में रखा जाए सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

RAJYA SABHA

The following Bill was introduced in the Rajya Sabha on the 28th March, 1968:—

BILL NO. XV OF 1968

A Bill to amend the University Grants Commission Act, 1956.

Be it enacted by Parliament in the Nineteenth Year of the Republic of India as follows:—

1. (1) This Act may be called the University Grants Commission (Amendment) Act, 1968. Short title and commencement

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. For section 5 of the University Grants Commission Act, 1956 (hereinafter referred to as the principal Act), the following section shall be substituted, namely:— Substitution of new section for section 5.

"5. (1) The Commission shall consist of—

(i) a Chairman, and

(ii) eleven other members, to be appointed by the Central Government.

(2) The members shall be chosen as follows:—

(a) two members from among the officers of the Central Government to represent that Government; and

(b) the remaining number from among—

(i) persons representing industry, commerce or agriculture,

(ii) persons representing legal, medical or other learned professions, or

(iii) persons who are educationists of repute or who have obtained high academic distinctions:

Provided that not less than one-half of the total number so chosen shall be from among persons who are not officers of the Central Government or of any State Government:

Provided further that no person, who is the Vice-Chancellor of a University or the head of an institution which is eligible under this Act to receive grants from the Commission, shall be chosen to be a member of the Commission.

(3) The Commission may elect from among its members a Vice-Chairman who shall exercise such of the powers and discharge such of the duties of the Chairman as may be prescribed.

(4) Every appointment under this section shall take effect from the date on which it is notified by the Central Government in the Official Gazette.”.

3. In section 6 of the principal Act,—

Amend-
ment of
section 6.

(i) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) A person appointed as Chairman or other member, unless he becomes disqualified for continuing as such under the rules that may be made under this Act, shall—

(a) in the case of Chairman, hold office for a term of five years; and

(b) in the case of any other member, hold office for a term of three years:

Provided that—

(i) a person who has held office as Chairman shall be eligible for further appointment as Chairman or other member, and

(ii) a person who has held office as other member shall be eligible for further appointment as Chairman or member,

so, however, that in either case, a person who has held office for two terms, in any capacity, whether as Chairman or other member, shall be ineligible for any further appointment as Chairman or other member.”;

(ii) to sub-section (4), the following proviso shall be added, namely:—

“Provided that out of the members appointed under clause (ii) of sub-section (1) of section 5, the Central Government may appoint such number of members, not exceeding three, as it may think fit, as whole-time members.”.

4. In section 12 of the principal Act,—

(i) in clause (c), for the words “necessary for the development of such Universities”, the words “necessary or appropriate for the development of such Universities or for the maintenance, or development, or both, of any specified activities of such Universities”, shall be substituted;

(ii) after the proviso to clause (c), the following further proviso shall be added, namely:—

“Provided further that the Commission shall not give any grant to any University which is established after the commencement of the University Grants Commission (Amendment) Act, 1968, without the previous approval of the Commission and of the Central Government.”;

(iii) after clause (c), the following clause shall be inserted, namely:—

“(cc) allocate and disburse out of the Fund of the Commission, such grants to institutions deemed to be Universities in pursuance of a declaration made by the Central Government under section 3, as it may deem necessary, for one or more of the following purposes, namely:—

(i) for maintenance in special cases,

(ii) for development,

(iii) for any other general or specified purpose.”.

Amend-
ment of
section 12.

**insertion
of new
section 27.**

**Power to
delegate.**

5. After section 26 of the principal Act, the following section shall be inserted, namely:—

"27. (1) The Commission may, by regulations made under this Act, delegate to its Chairman, or any other whole-time member or officer, its power of general superintendence and direction over the business transacted by, or in, the Commission, including the powers with regard to the expenditure incurred in connection with the maintenance of the office and internal administration of the Commission.

(2) No regulation shall be made under this section except with the previous approval of the Central Government.".

**Transi-
tional
provisions.**

6. Every member of the Commission holding office as such immediately before the commencement of this Act, shall continue to hold such office after such commencement until the reconstitution of the Commission in accordance with the provisions of the principal Act as amended by this Act:

Provided that the person holding, immediately before the commencement of this Act, the office of the Chairman, shall continue to hold that office by the same tenure and upon the same terms and conditions as he held it immediately before such commencement.

STATEMENT OF OBJECTS AND REASONS

The University Grants Commission Act, 1956 was passed by Parliament to make provision for the co-ordination and determination of standards in Universities and for that purpose to establish a University Grants Commission. In the years following the passing of that Act, the field of higher education in the country has been considerably enlarged with the corresponding increase in the responsibilities of the University Grants Commission. Experience of the working of the Act in these years has also revealed certain lacunae and shortcomings therein and the need has been felt for widening the scope of the organisation and functions of the Commission.

2. The above feeling was reinforced by the recommendations made in July, 1964 by the Committee of Members of Parliament set up under the chairmanship of Shri P. N. Sapru to examine the provisions of the Constitution regarding the responsibility of the Central Government in the field of higher education with a view to finding the extent to which the Centre could assume greater responsibility in this field. The Committee, amongst other things, made some recommendations regarding re-organisation of the University Grants Commission. The Commission was thereafter consulted about the question of its re-organisation in general and the recommendations of the Sapru Committee in particular. After examining the matter in all its aspects, a Bill to amend the University Grants Commission Act, 1956 was introduced in the Rajya Sabha in April, 1966. The Bill which was passed by the Rajya Sabha in August, 1966 lapsed on the dissolution of the Third Lok Sabha.

3. The recommendations of the Education Commission (1964-66) have also been received. The present Bill seeks to amend the Act and include therein the various provisions of the lapsed amending Bill re-considered in the light of the recommendations of the Education Commission. The main features of the Bill are:

(a) The number of members of the Commission will be increased from 9 to 12, out of whom not more than 3 may be appointed as whole-time members.

(b) Serving Vice-Chancellors and Heads of institutions which are entitled under the Act to receive grants from the Commission will be excluded from the membership of the Commission.

(c) Provision has been made in the Bill enabling the members of the Commission to elect a Vice-Chairman from amongst themselves.

(d) The term of office of the Chairman will be five years and the term of office of the other members of the Commission will be reduced from the present six years to three years with eligibility for re-appointment for a further period not exceeding three years so, however, that the total period for which a member may hold office shall not exceed a period of six years.

(e) The Commission will be empowered to give assistance to the non-Central Universities for the maintenance of their special activities like the advanced centres.

(f) The Commission will be empowered to withhold grants to any University established without the previous approval of the Commission and the Central Government.

(g) The Commission will be empowered to give grants to institutions deemed to be Universities in pursuance of a declaration made under section 3 of the Act for their maintenance in special cases, development or for other specified purposes.

(h) The Commission will be empowered to make regulations regarding delegation by the Commission to its Chairman, whole-time members or officers of its power of general superintendence and direction over the business transacted by or in the Commission including the powers with regard to the office expenditure and other matters relating to the internal administration of the Commission.

NEW DELHI:
The 20th March, 1968.

TRIGUNA SEN.

FINANCIAL MEMORANDUM

Clause 2 of the Bill contemplates an increase in the number of members of the University Grants Commission from 9 to 12. Clause 3 of the Bill empowers the Central Government to appoint, besides the Chairman, not more than three full-time members. The extra yearly expenditure which would be involved towards payment of the travelling and the daily allowances for the additional members and the salaries which would become payable to the full-time members as and when they are appointed would come to about rupees one lakh.

2. Clause 4 of the Bill empowers the Commission to give continued assistance to the Universities in such measures and for as long as is considered necessary for the maintenance of any specified activities of such Universities. The said clause also empowers the Commission to give grants, in special cases, for the maintenance of institutions which are deemed to be Universities. At present the Commission is competent to give only development grants to State Universities and institutions deemed to be Universities. Grants of the order of about rupees 1.5 crores are at present given jointly by the Commission and the Central Government to various institutions declared as deemed Universities under section 3. Clause 4 of the Bill will only enable the Government to route these grants through the Commission wherever considered necessary. The above provisions will not thus cause any extra expenditure from the Consolidated Fund of India.

3. The extra expenditure which is likely to be involved on account of assistance which the Commission may render for maintenance of specified activities of the Universities will be met from the budget of the Commission whenever the Commission decides to render such assistance.

4. The provisions of the Bill are not likely to have an appreciable impact on the over-all budget of the Commission which is about rupees 20.00 crores per year at present.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 5 of the Bill empowers the University Grants Commission to make regulations with the previous approval of the Central Government regarding the delegation by it to its Chairman, or other whole-time members or officers, of its powers of superintendence and direction over the business transacted by or in the Commission, including the powers with regard to the expenditure incurred in connection with the maintenance of the office and internal administration of the Commission.

2. This provision is proposed to be inserted with a view to enabling the Commission to delegate to its Chairman, whole-time members and other officers such of the above-mentioned powers as it may consider necessary. Experience has shown that the activities of the Commission have been hampered by the fact that all the powers are at present concentrated in the Commission, as a whole, which meets periodically.

3. These matters pertain to procedure, form or detail and as such the delegation of legislative power is of a normal character.

B. N. BANERJEE,
Secretary.